

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
APPLICATION

Inventor(s): CATT ET AL

Appln. No.: 08

935,717

Series Code ↑

Serial No. ↑

Filed: September 23, 1997

Title: TEST KITS AND DEVICES

Asst. Commissioner of Patents

Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art Unit 1641

Examiner: Portner

Atty. Dkt. PMS 241939

R.3248

(Our Deposit Account No. 03-3975)

(Our Order No. 60113

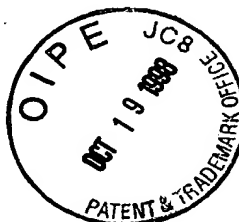
C#

241939

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Date:

October 19, 1998


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This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

| | | | | | | | | | | | | | |
|---|--|----------------------------------|--|------------------------------------|--|---------------|--|------------------------|--|----------------|--|----------|--|
| 1. "Small Entity" statement(s) filed | | Claims remaining after amendment | | Highest number previously paid for | | Present Extra | | Large/Small Entity | | Additional Fee | | Fee Code | |
| <input type="checkbox"/> previously <input type="checkbox"/> herewith (No.) | | | | | | | | | | | | | |
| 2. Total Effective Claims | | | | **minus 20 | | 0 | | x \$22/\$11 = | | + 0 | | 103/203 | |
| 3. Independent Claims | | | | ***minus 3 | | 0 | | x \$82/\$41 = | | + 0 | | 102/202 | |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application).....add | | | | | | | | + \$270/\$135 = | | + 0 | | 104/204 | |
| 5. Original due Date: July 17, 1998 | | <input type="checkbox"/> NONE | | | | | | | | | | | |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached | | (1 mo) | | \$110/\$55 = | | | | | | | | 115/215 | |
| | | (2 mos) | | \$400/\$200 = | | | | + 950 | | | | 116/216 | |
| | | (3 mos) | | \$950/\$475 = | | | | | | | | 117/217 | |
| 7. Enter any previous extension fee paid since above original due date and subtract | | | | | | | | - | | | | | |
| 8. | | | | | | | | Extension Fee Attached | | + 950 | | | |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee | | | | | | | | + \$110/\$55 = | | + 0 | | 148/248 | |
| 10. If IDS attached requires Official Fee,add | | | | | | | | + \$240 = | | + 0 | | 126 | |
| or if Rule 97(d) Petitionadd | | | | | | | | + \$130 = | | | | 122 | |
| 11. After-Final Request Fee per rules 129(a) and 17(r) | | | | | | | | + \$790/395 = | | + 0 | | 146/246 | |
| 12. No. of additional inventions for examination per Rule 129(b) | | | | | | | | x \$790/395 ea = | | + 0 | | 149/249 | |
| 13. Petition fee for | | | | | | | | | | + | | | |
| 14. | | | | | | | | TOTAL FEE ENCLOSED = | | \$950 | | | |

15. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Madison & Sutro LLP
 Intellectual Property Group

By Atty: Paul N. Kokulis

Reg. No. 16773

1100 New York Avenue, N.W.

Ninth Floor East Tower

Washington, D.C. 20005-3918

Tel: (202) 861-3000

Atty/Sec: PNK/mah

Sig:

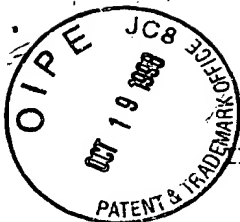
Fax:

(202) 822-0944

Tel:

(202) 861-3503

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#310
all right (3)
C. A. West
10/29/98

In re application of

CATT ET AL

Serial No. 08/935,717

Group Art Unit: 1641

Filed: September 23, 1997

Examiner: Portner

For: TEST KITS AND DEVICES

October 19, 1998

AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

RECEIVED
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Sir:

In response to the Office Action dated April 17, 1998, please
amend the above application as follows:

IN THE CLAIMS

Amend claim 1 as follows:

Sub B-1
A1

1. (Amended) A test kit for determining qualitatively or
quantitatively the presence of one or more analytes in a fluid
sample, comprising an assay device for sampling and assaying said
fluid together with a reading device which includes reading
initiation means and which engages with said assay device and
wherein precisely located engagement of said assay device with said
reading device is essential for accurate reading of the assay
result, wherein precisely located engagement of said assay device
with said reading device causes a [""]lock-and-key[""] interaction
between said assay device and reading initiation means of said

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